

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

ROBERT BALDWIN,

Plaintiff,

v.

**MOSES H. CONE MEMORIAL
HOSPITAL and WESLEY LONG
COMMUNITY HOSPITAL,**

Defendants.

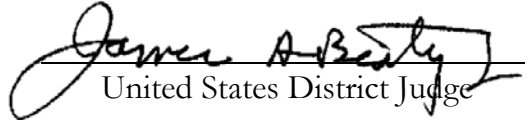
1:09CV328

O-R-D-E-R

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on July 24, 2009, was served on the parties in this action. Plaintiff has filed a “Motion to Strike Recommendation” [Docket No. 15] which will be construed as objections to the Recommendation.

The court has appropriately reviewed the portions of the Magistrate Judge’s report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge’s report. The court therefore adopts the Magistrate Judge’s recommendation.

IT IS THEREFORE ORDERED that Defendants' Rule 12(b)(1) motion to dismiss [Docket No. 8] be **GRANTED** and that this action be dismissed. A Judgment dismissing this action will be entered contemporaneously with this Order.


United States District Judge

Date: August 14, 2009